

### **III. REMARKS**

Applicant offers the following remarks in response to the Final Office Action mailed June 2, 2008.

#### **A. STATUS SUMMARY**

Claims 1-7 and 12-21 were pending in the application. Claims 8-11 have been previously cancelled. Claims 1, 2, 12, 13, and 14 have been cancelled in order to expedite the issuance of this application. No other inferences should be made regarding the patentability of the cancelled claims other than the reasons provided herein. Applicant also reserves the right to prosecute the cancelled claims in a continuation application. Claims 3, 15, 17, and 18 have been amended to depend from allowed claims and claims 19-21 were previously found to be in condition for allowance. Accordingly, claims 3-7, and 15-21 are currently pending in this application.

#### **B. SPECIFICATION**

The Examiner indicated that the previous objection has been overcome. Applicant acknowledges and thanks the Examiner for such finding.

#### **C. CLAIM REJECTIONS – 35 U.S.C. § 103**

Claims 1, 3-7, 15, and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,125,135 to Woo et al. (hereinafter “Woo”) in view of U.S. Patent No. 5,185,610 to Ward et al. (hereinafter “Ward”) and further in view of the Axiom Navigation, Inc. document entitled “Sandpiper/Avocet Evaluation Kit User Guide”, June 2000 (hereinafter “Axiom”). The Examiner also rejected claims 2 and 16 under 35 U.S.C. § 103(a) as being unpatentable over “Woo” in view of “Ward” and further in view of “Axiom” and in view of Ciccarelli et al., U.S. Patent 6,359,940.

Applicant has cancelled claims 1 and 2, while amending claims 3, 15, and 17 to depend from allowable independent claim 19. Thus, claims 3, 15, and 17 are in condition for allowance. Further, claims 4-7 depend indirectly from allowable independent claim 19 and are also in condition for allowance. Therefore, this rejection is now moot in view of Applicant's claim amendments.

**D. CLAIM OBJECTIONS**

Claims 12-14 have been cancelled in order to expedite the issuance of this application. The rejection is not moot.

**E. Allowable Subject Matter**

The Examiner has indicated that claims 19-21 are allowed over the prior art of record. Applicant acknowledges and thanks the Examiner for such findings.

**V. CONCLUSION**

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Office Action.

Appl. No.: 09/916,087  
Amendment dated October 2, 2008  
Reply to Office Action of November 27, 2007

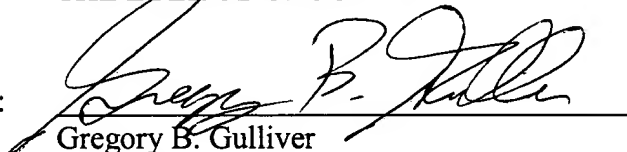
Although it is believed that no fees are due, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to our Deposit Account No. 50-2542.

Respectfully submitted,

THE ECLIPSE GROUP LLP

Date: October 1, 2008

By:

A handwritten signature in black ink, appearing to read "Gregory B. Gulliver", is written over a horizontal line.

Gregory B. Gulliver  
Registration No. 44,138  
**The Eclipse Group LLP**  
10605 Balboa Blvd.  
Suite 300  
Granada Hills, CA 91344  
Phone: 949-448-9410  
Fax: 818-332-4205

Customer No. **34408**